

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

FREE SPEECH COALITION, INC. et al.,)	Civil Action No. 2:09-4607
)	
Plaintiffs,)	Judge Michael M. Baylson
)	
v.)	
)	
THE HONORABLE ERIC H. HOLDER, JR.,)	<u>FREE SPEECH COALITION'S ANSWERS</u>
Attorney General,)	<u>TO DEFENDANT'S SECOND SET OF</u>
)	<u>INTERROGATORIES</u>
)	
Defendant.)	

Pursuant to Fed. R. Civ. P. 33, each plaintiff is hereby requested to answer, separately from other plaintiffs (or to the extent all plaintiffs' answers to any Interrogatory are identical, separately signed and sworn), each of the following interrogatories separately and fully in writing under oath, and to provide responses by electronic mail to defendant's undersigned counsel by the applicable deadline. If any interrogatory cannot be answered fully, it should be answered to the extent possible, with the reasons explained for not answering more fully. In responding to these interrogatories, type out each question before your answer.

INTERROGATORY NO. 13: Specify how many hours per week, on average, you or someone assisting you currently spends on the following activities. If you do not currently engage in an activity identified below but have done so in the past, specify how many hours per week, on average, you or someone assisting you spent on that activity in the most recent year in which you engaged in that activity, and specify the year.

a. creating visual depictions of sexually-explicit conduct, excluding any time spent complying with the requirements of 18 U.S.C. §§ 2257 and/or 2257A and their implementing regulations

(h) visual depictions of sexually-explicit conduct that are created for a particular purpose.

ANSWER: Plaintiffs maintain that as applied to depictions of persons 18 years old or older, the statutes are unconstitutional in all categories.

INTERROGATORY NO. 18: For each subsection listed in the preceding Interrogatory, describe in specific detail the procedures that you contend would allow (1) a producer and (2) the government to distinguish between the categories you have identified where you contend the requirements of 18 U.S.C. §§ 2257 and/or 2257A and their implementing regulations may apply consistent with the First Amendment's intermediate scrutiny test and the categories you have identified where you contend those requirements may not apply consistent with the First Amendment's intermediate scrutiny test.

ANSWER: Plaintiffs disagree with the underlying assumption of this Interrogatory—namely, the legitimacy of the statutes at issue here that burden protected speech. Plaintiffs maintain that state and federal laws prohibiting child pornography are sufficient governmental measures to ensure that legitimate producers of sexually explicit expression will not use minors in the production of their expression. The government has available to it and has used a number of measures in successfully enforcing and prosecuting those who produce sexually explicit expression depicting minors, including but not limited to forensic analysis and the Child Identification Program with the National Center for Missing and Exploited Children.

INTERROGATORY NO. 19: Identify by full name, all aliases, address, telephone number, e-mail address, and website URL each person who (a) observed or was present during an inspection that was conducted pursuant to 18 U.S.C. § 2257 or (b) owned or rented the property at which an inspection was conducted pursuant to 18 U.S.C. § 2257, who contends that the inspection that occurred violates the Fourth Amendment as applied to him or her.

ANSWER: The following is information that Free Speech Coalition has pertaining to members who were inspected:

Diabolic Video
Gregg Dunn
9035 Independence Ave.
Canoga Park CA 91304
818/407-6200

Darkside Productions, Inc
Stormi Mountian
7413 Six Forks Road, #357
Raleigh, NC 27615
919-325-0078

K-Beech Video, Inc.
Kevin Beechum
9601 Mason Ave #B
Chatsworth, CA 91311
818-772-4201

Wicked Pictures
Steve Orenstein
9040 Eton Avenue
Canoga Park, Ca 91304-1616
818-349-3593

Filmco/Bacchus
9718 Glen Oaks Blvd
Sun Valley CA 91352
818-504-1966

Pure Play Media
Adam Glasser
19860 Nordhoff Pl
Chatsworth CA 91311
818/340-4801

Sunshine Films
7800 Airport Bussiness Parkway
Van Nuys, CA 91401
818-901-6350

Robert Hill Releasing
9741 Candea Ave
Chatsworth, CA 91311
818-709-8200

Legend Video
Bruce Mendleson
9145 Owensmouth Avenue
Chatsworth CA 91311
818-577-5610

Shane's World
13659 Victory Blvd. Suite 616
Van Nuys, CA 91401
818-717-8851

V-9 Video
1407 E 5th Ave
Tampa FL, 33605
813-242-6980

Gentlemen's Video, Inc
Mike Esposito
21638 Lassen St
Chatsworth, Ca. 91311
818-700-7785

Moonlight Entertainment
Paul Bloch
PO Box 33404
Las Vegas, NV 89133
818-830-4919

INTERROGATORY NO. 20: For each person identified in response to Interrogatory No. 19, describe in specific detail why that person contends that the inspection that occurred violates the Fourth Amendment as applied to that person.

ANSWER: The inspections violated the Fourth Amendment for the reasons set forth in Count Four of Plaintiffs' Amended Complaint; at pages 46-56 of Memorandum in Support of Plaintiffs' Motion for Preliminary Injunction; at pages 37-46 of Plaintiffs' Memorandum in Opposition to Defendant's Motion to Dismiss, etc.; at pages 48-58, Brief of Appellant, and at pp. 542-45 and pp. 548-50, *Free Speech Coalition v. Holder*, 677 F.3d 519 (3rd Cir. 2012).

INTERROGATORY NO. 21: For each year since 1988, state the gross revenue you have received

DECLARATION

I, Jeffrey Douglas, declare under penalty of perjury that I have read the answers to Defendant Holder's Second Set of Interrogatories and that the answers are true as I verily believe.


Jan 13 2013
DATE

Jeffrey L Douglas
Jeffrey Douglas

DECLARATION

I, Diane Duke, declare under penalty of perjury that I have read the answers to Defendant Holder's Second Set of Interrogatories and that the answers are true as I verily believe.

1/11/13
DATE


Diane Duke